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**Not for Publication until after Commencement of Meeting**

**Notice Of Ordinary Meeting Of Council**

**Date** 1.00 pm on Wednesday 25 January 2012

**Venue** Council Chambers, Station Road, Dargaville

**Timetable**

**12.15 pm Lunch**

**1.00 pm Commencement of Council Meeting**

The Public Forum will take place during Council business, at the time indicated below.

**1.00pm St John Ambulance Service Representatives**

(Item 5.1 refers) St John Ambulance Service representatives will speak to Council on the concept plan for the Mangawhai Park ambulance station site.

**1.10pm Riverside Holiday Park Representatives**

(Item 5.2 refers) Riverside Holiday Park representatives will speak to Council on the request for a Right of Way on esplanade reserve at Mangawhai.

**2.45 pm Afternoon Tea**

**3.00 pm Recommencement of Council Meeting, if required**

**Ordinary Meeting Of Kaipara District Council In The Council Chambers, Station Road,  
Dargaville On Wednesday 25 January 2012 Commencing 1.00 pm**

**Recommendations contained in the Order Paper and Reports are NOT Council  
decisions but are provided as advice on which the debate can begin.  
Please refer to Council minutes for Resolutions.**

**Contents**

<b>1</b>	<b>Opening: Councillor Geange .....</b>	<b>4</b>
1.1	Present .....	4
1.2	In Attendance .....	4
1.3	Apologies .....	4
<b>2</b>	<b>Public Forum .....</b>	<b>4</b>
2.1	St John Ambulance Service (1.00pm) .....	4
2.2	Riverside Holiday Park (1.10pm) .....	4
<b>3</b>	<b>Declaration of Conflicts of Interest .....</b>	<b>4</b>
3.1	Declaration of Conflicts of Interest .....	4
<b>4</b>	<b>Confirmation of Minutes.....</b>	<b>5</b>
4.1	Ordinary Council Meeting 14 December 2011 .....	5
4.2	Special Council Meeting 20 December 2011 .....	5
<b>5</b>	<b>Policy.....</b>	<b>5</b>
5.1	Mangawhai St John Ambulance Service: Concept Plan Mangawhai Park Site .....	5
5.2	Riverside Holiday Park: Request for Right of Way .....	7
5.3	Dargaville Wharf Pontoon: Deferment of Reinstatement.....	7
5.4	Sanitary Works Subsidy Scheme (SWSS) Tinopai and Paparoa/Pahi: Withdrawal of Applications.....	8
5.5	Service Contract Extension: Environmental Northland Limited .....	9
5.6	Road Naming Private Right of Way off Cames Road, Mangawhai: West Farm Drive .....	10
5.7	Road Naming Five Private Roads and Access ways off Pearl Street, Mangawhai: Taranga View Road, Cape Rodney Place, Fern Bird Place, Matata Way and Pakiri Way .....	10
<b>6</b>	<b>Reports.....</b>	<b>11</b>
6.1	Mayor's Report.....	11
6.2	Councillors Reports.....	11
6.3	Chief Executive's Report: December 2011 and January 2012 .....	12
<b>7</b>	<b>Information Items .....</b>	<b>12</b>
7.1	Delegated Authority: Schedule of Decisions.....	12
7.2	Northland Intersectoral Forum Monthly Briefing Report 20 December 2011.....	12
7.3	Proposed District Plan Appeals and Variation N <sup>o</sup> 1 Update .....	13

7.4	Integrated Kaipara Harbour Management Group: On Farm Workshop.....	14
7.5	Auditor-General's Annual Christmas Newsletter 2011 .....	14
7.6	Civil Defence Emergency Management Group: Agenda and Minutes of Meeting 6 December 2011 .....	14
<b>8</b>	<b>Public Excluded Council Items 25 January 2012.....</b>	<b>15</b>
	<b>Open Council Meeting: Wednesday 25 January 2012 .....</b>	<b>16</b>
	<b>Closure .....</b>	<b>16</b>

**Order Paper: 25 January 2012****1 Opening: Councillor Geange**

Councillor Harding to open the 22 February 2012 meeting.

(The running order for opening the meetings: Councillors Blackwell, Geange, Harding, Larsen, Linton, McEwing, Sutherland, Wade)

**1.1 Present****1.2 In Attendance****1.3 Apologies**

At the close of the Agenda no apologies had been received.

**2 Public Forum****2.1 St John Ambulance Service (1.00pm)**

(Item 5.1 refers) St John Ambulance Service representatives will speak to Council on the concept plan for the Mangawhai Park Ambulance station site.

**2.2 Riverside Holiday Park (1.10pm)**

(Item 5.2 refers) Riverside Holiday Park representatives will speak to Council on the request for a Right of Way on esplanade reserve at Mangawhai.

**3 Declaration of Conflicts of Interest****3.1 Declaration of Conflicts of Interest****General Manager Policy and Governance 1902.0**

Audit has asked that this item be included on Council's Agenda each month. People's personal situations change and Audit believes it is appropriate that both Councillors and Managers give regular consideration as to whether or not they have a potential conflict of interest in respect of anything before Council.

## 4 Confirmation of Minutes

### P1 4.1 Ordinary Council Meeting 14 December 2011

**General Manager Policy and Governance 1601.16**

A copy of the unconfirmed minutes is attached.

#### **Recommended**

*That the minutes of the Ordinary Meeting of Council on 14 December 2011 as circulated, be confirmed as a true and correct record.*

### P40 4.2 Special Council Meeting 20 December 2011

**General Manager Policy and Governance 1601.16**

A copy of the unconfirmed minutes is attached.

#### **Recommended**

*That the minutes of the Special Meeting of Council 20 December 2011 as circulated, be confirmed as a true and correct record.*

## 5 Policy

### P45 5.1 Mangawhai St John Ambulance Service: Concept Plan Mangawhai Park Site

**General Manager Operations 5105.09**

At Council's 14 December 2011 meeting it was resolved:

*“That Council receives the community consultation feedback from Council officers and Mangawhai St John Ambulance Service’s consultation with the Mangawhai community regarding the Mangawhai St John Ambulance Service lease site in Mangawhai Park, Mangawhai; and*

*That following recent consultation with the community, Council approves in principle the proposed 5,000 square metre lease site for St John Ambulance Service, situated next to the Mangawhai Historical Society on Molesworth Drive, Mangawhai Park, Mangawhai.*

*That Mangawhai St John Ambulance Service submits to Council for its approval, prior to the lodging of building or resource consent, an overall concept plan including building and landscape design.”*

A Commercial Designer's impression of the concept plan showing the street view is attached and a hard copy available for viewing.

Council has asked for St John Ambulance Service to provide a landscape design. The Ambulance Service, as good neighbours, is approaching this in a collaborative way. It wants community and neighbourly input and will liaise with the Mangawhai Historical Society to ensure a mutually agreed shared approach to the joint planted border. Tentative discussions have already been held, pending a definitive answer from Council.

Peter Ferguson, Commercial Designer for St John Ambulance Service, has advised that landscapers will remove wilding pines, wattles and other exotics of poor form, retaining good specimens and natives where possible. These will be underplanted with natives and grasses as selected by a landscaper. A local landscaper will advise and assist and two have shown expressions of interest. The areas surrounding the parking areas will be planted with low native grasses and smaller shrubs to blend in with surrounding vegetation. The colours of the building have been selected to reflect the coastal setting and ensure that the building sits unobtrusively with its surroundings. St John Ambulance Service building a station at Mangawhai Park ensures the Mangawhai community continues to have an ambulance service that meets growing needs.

During the community consultation conducted in late 2011, a number of submitters requested an opportunity to review the design. While it is unlikely that the consent application will be legally required to be publicly notified, it can be if the applicant requested this treatment.

An initial assessment by Council's Consultant Planner has identified that the resource consent application will most likely need to be notified to some extent. Council could request that St John Ambulance Service gives serious consideration to requesting public notification of its application so that community views can be considered.

This report has been sent to the Otamatea Councillors Larsen, Linton and Sutherland.

St John Ambulance Service representatives will speak to Council in the Public Forum section of the meeting at 1.00pm.

### **Recommended**

*That Council approves the concept design submitted by St John Ambulance Service for its proposed station on Molesworth Drive, Mangawhai Park.*

### **Reason for the recommendation**

The concept proposed by St John Ambulance Service is for an attractive contemporary design that will blend with the site and complement the adjoining museum building. The proposal includes details of an effective landscape treatment for the area between the two buildings.

**P47 5.2 Riverside Holiday Park: Request for Right of Way**

**General Manager Operations 5105.09**

A report from the General Manager Operations dated 11 January 2012 is attached.

Riverside Holiday Park has for many years used a portion of the esplanade reserve that boundaries their property for access to northern areas of the holiday park. They have come to Council with a request to formalise this access arrangement.

No physical works will be needed to provide for the creation of the Right of Way and it is unlikely to cause the reserve to be unfit for the purpose intended. It is not anticipated that the creation of the Right of Way will be contrary to the purposes and functions of the reserve. Riverside Holiday Park has stated that public access to the coastal area will be maintained at all times. Four maps are attached to the General Manager Operation's report; a view of the area, the 10 chain area, the proposed Right of Way, and an enhancement concept.

Riverside Holiday Park representatives will speak to Council in the Public Forum section of the meeting at 1.10pm.

**Recommended**

*That Council approves, in principle, Riverside Holiday Park's application for a Right of Way providing legal access across the adjoining esplanade reserve (Lot 2 DP 83638) subject to all legal compliance; and*

*That Riverside Holiday Park meets all Council's costs for this process.*

**Reason for the recommendation**

Creating a legal Right of Way formalises an activity that has been happening for many years and allows for further landscape enhancement of the esplanade reserve.

**P54 5.3 Dargaville Wharf Pontoon: Deferment of Reinstatement**

**General Manager Operations 2130.03**

A report from the General Manager Operations dated 12 January 2012 is attached. Council's 22 June 2011 resolution for Item 6.11 Dargaville Wharf Pontoon and Waka Ama Club required a report back to Council on best pontoon options, costs and funding.

Further investigation and quoted pricing of \$25,650 - \$75,695 for the reinstatement repairs or replacement of the Dargaville Wharf Pontoon is significantly greater than the initial \$5,000 estimated cost, and does not include any works or changes to the existing piles to secure the pontoons in place. There is no budget or funding allocated for the reinstatement or replacement of the wharf pontoon and the Waka Ama Club is not in a

position to fund this project to or see this as a priority within the short term. Any potential future pontoon options would require further community consultation, involvement and engagement to ascertain the need and feasibility of such a project.

The Portfolio Holders Councillors McEwing and Wade have been provided with a copy of this report.

### **Recommended**

*That Council defers the reinstatement or replacement of the Dargaville Wharf Pontoon.*

### **Reason for the recommendation**

There is no budget allocated for the reinstatement or replacement of the wharf pontoon. The Waka Ama Club is not in a position to fund such a project and is currently using the Boating Club's ramp. They have also indicated that the Club will relocate to the Kai Iwi Lakes.

## **P61 5.4 Sanitary Works Subsidy Scheme (SWSS) Tinopai and Paparoa/Pahi: Withdrawal of Applications**

### **General Manager Operations 4511; 4513**

A report from the General Manager Operations dated 12 January 2012 is attached.

In 2005, the Council received preliminary approval for partial funding (\$2.4 million) towards the development of sanitary works to service the Tinopai and Paparoa/Pahi communities from the Ministry of Health via the Sanitary Works Subsidy Scheme. The Council component of the funding for these projects is estimated to be in the order of \$6-8 million.

The Ministry of Health Sanitary Works Subsidy Scheme and funding offer expires in 18 month's time, 30 June 2013. It is unlikely that the Council will be able to, or want to, have the available funding in place to complete the schemes prior to the expiry of the Sanitary Works Subsidy Scheme.

The Ministry of Health has requested that Council withdraw its applications for funding subsidy for the Tinopai and Paparoa/Pahi sanitary works if the Council is not likely to use the subsidy, to free the money up for works elsewhere.

The information in this report has been sent to the Portfolio Holder, Councillor John Blackwell who supports the recommendation.

### **Recommended**

*That Council withdraws the applications for funding subsidy from the Ministry of Health's Sanitary Works Subsidy Scheme for the Tinopai and Paparoa/Pahi sanitary works.*

### **Reason for the recommendation**

Withdrawing the applications will release the potential burden on Council of funding (borrowing) an additional estimated \$6-8 million for the schemes to be progressed. Not significantly impact the communities at Tinopai and Paparoa/Pahi, as existing systems are either functionally adequate for the short to medium timeframe, or if isolated issues become apparent Council has the ability to rectify via the Wastewater Bylaw. It will also make additional funds available to the Ministry of Health within the Sanitary Works Subsidy Scheme, for consideration on Wairoa District Council's Mahia Beach Sewerage Scheme.

## **P66 5.5 Service Contract Extension: Environmental Northland Limited**

### **General Manager Operations**

**3501.0**

A report from the General Manager Operations dated 11 January 2012 is attached.

Council's contract for the provision of dog, stock and noise control, parking and bylaw management is due to expire on 31 March 2012. Although a review of the existing contract and future service delivery options is well underway, it is now unlikely that new arrangements will be in place by this date. Therefore an extension to the current contract period needs to be negotiated to enable discussions and agreements to be concluded regarding potential shared services, new contracts and tenders, or establishing new in-house Council services.

This report has been sent to the Portfolio Holder Councillor Brian McEwing, for his information and comment.

### **Recommended**

*That Council negotiates an extension of time for the delivery of dog, stock, noise, parking and bylaw management services by Environmental Northland Limited under its existing contract (which ends 31 March 2012) for a period up to a maximum of 12 months or until arrangements for the future provision of these services are implemented, whichever is the sooner.*

### **Reason for the recommendation**

Council is anxious to implement new service provisions as soon as possible, but recognises that negotiations over service arrangements, contract terms and tendering processes take time to conclude. The maximum time of 12 months is included to provide Council with opportunities to negotiate with Environmental Northland Limited.

**P69 5.6 Road Naming Private Right of Way off Cames Road, Mangawhai: West Farm Drive**

**General Manager Operations 4102.09**

Mangawhai Ridge Limited has completed a 42 lot subdivision (RM030029) located off Cames Road, Mangawhai. Currently one of the private Rights of Way opposite Kokopu Lane off Cames Road has been named locally as West Farm Drive. The developer has erected a sign with this name some time ago. This name has not been approved by Council but does meet Council's Road Naming Policy 2009. The attached map shows the section of private road in question.

West Farm Drive derives from the fact that the road accesses the west area of the Wintle farm, the site where the subdivision occurred. Although the subdivider has not approached Council, residents of the area have approached Council seeking approval for the naming of the road.

**Recommended**

*That Council endorses the private road name, West Farm Drive located off Cames Road opposite Kokopu Lane in Mangawhai, from the Mangawhai Ridge Limited subdivision (RM030029).*

**Reason for the recommendation**

The name suggested complies with Council's Road Naming Policy 2009.

**P70 5.7 Road Naming Five Private Roads and Access ways off Pearl Street, Mangawhai: Taranga View Road, Cape Rodney Place, Fern Bird Place, Matata Way and Pakiri Way**

**General Manager Operations 4102.09**

At the 24 August 2011 meeting, Council resolved to let the road naming item for five road names off Pearl Street, Mangawhai, lie on the table, pending more information clarifying the road names. The attached plan shows the roads proposed for naming as submitted to Council in August 2011. The roads were created as part of a subdivision undertaken by Joydon Productions Ltd (RM001102) in 2000.

The recommended names were Taranga Views, Cape Rodney View, Fern Bird Place, Matata View and Pakiri View. More information has been sought to have the appropriate suffixes for the proposed road names. These are now proposed as Taranga View Road, Cape Rodney Place, Fern Bird Place, Matata Way and Pakiri Way.

The names proposed for the largest road, numbered (1) on the attached plan, in order of preference are Ocean Views, Taranga Views and Bream Tail Views. Council currently has Ocean Close and Ocean View Terrace in the District, therefore Taranga View Road is recommended for this road.

Off this road is a small private right of way, numbered (2) on the plan. The names proposed here in order of preference are Beach Views, Cape Rodney Views and Te Arai Views. Beach Road is currently in use in the District, therefore Cape Rodney Place is recommended for this private right of way.

The names for the private road numbered (3) on the plan in order of preference are Fern Bird Place, Matata Place and Pakiri Place. Fern Bird Place is recommended and complies with Council's policy. The proposed names for the accessway numbered (4) on the plan are Bush View, Matata Views and Fern Bird Place. Matata Way is recommended for this road, as Kaipara currently has a Bush Lane in the District.

The last road in this series is numbered (5) on the plan. The names suggested are The Views, Harbour View and Pakiri View. Kaipara currently has a View Road and Harbourview Street in the District. Pakiri Way is the third choice and is recommended.

These names comply with Council's Road Naming Policy 2009.

### **Recommended**

*That Council endorses the following private road names located off the end of Pearl Street in Mangawhai; Taranga View Road, Cape Rodney Place, Fern Bird Place, Matata Way and Pakiri Way as private road names and private accessways from the Joydon Productions Ltd subdivision (RM001102).*

### **Reason for the recommendation**

The names suggested comply with Council's Road Naming Policy 2009.

## **6 Reports**

### **6.1 Mayor's Report**

#### **1701.02.03**

The Mayor to report, for information, on matters of interest.

### **6.2 Councillors Reports**

#### **Councillors 1904 (various)**

This is an opportunity for Councillors to inform Council of activities they have undertaken on behalf of Council. Written reports are preferred as these are then attached to the Minutes. Verbal reports are not recorded in accordance with Section 3.17.2 of Standing Orders.

**Cir 6.3 Chief Executive's Report: December 2011 and January 2012****Chief Executive 2002.02.10**

The Chief Executive's report for December 2011 and January 2012 is circulated separately.

**7 Information Items****P71 7.1 Delegated Authority: Schedule of Decisions****General Manager Operations 3803.0**

A schedule of decisions that has been made under delegated authority is attached. The purpose of this is not for Council to review the detail of these decisions as they have already been made under delegated authority, but rather to give an indication of the nature and scale of developments taking place within the District in a reasonably concise way.

**Recommended**

*That the Delegated Authority Schedule of Decisions be received.*

**P88 7.2 Northland Intersectoral Forum Monthly Briefing Report 20 December 2011****General Manager Policy and Governance 1908.01.04**

The Northland Intersectoral Forum Monthly Briefing Report for 20 December 2011 is attached for information.

The Northland Intersectoral Forum has an overarching view on social monitoring, community renewal, engaging the community in learning, helping with the environment and the promoting and highlighting of the economic well-being of the region, among other topics.

The Forum discussed the serious rural fire problems which Northland faces, and how a 10% reduction in wild fires would save \$300,000 for the region per year. There were also other discussions which are listed in the Briefing Report.

This month's Forum was the first for Kaipara District Council's new Chief Executive.

**Recommended**

*That the information be received.*

## **P90 7.3 Proposed District Plan Appeals and Variation N°1 Update**

**General Manager Policy and Governance 3807.06.04 & 3807.05.01.02**

### **Proposed District Plan: Settling of Appeals**

With the close of the appeals period to the Proposed Plan, other interested parties had 15 working days within which to notify the Environment Court of their interest. Fifteen of the 18 appeals have attracted other parties who have indicated an interest in the proceedings greater than the general public.

Informal discussions have commenced with the appellants, to gain a better understanding of the matters raised and to identify issues which may be capable of resolution by mutual consent. By the end of 2011 three such meetings had been held, with more scheduled for the months of January and February 2012. The Environment Court has indicated a wish to see the appeals resolved as quickly as possible.

### **Proposed District Plan: Appeals version District Plan**

The compiling of the Appeals version of the District Plan is currently underway. This Plan will be on Council's 22 February 2012 agenda, for approval to be released.

This version of the Plan will no longer be a 'tracked changed' version, with strike-through and underlined text. Instead the Appeals version Plan will show which parts of the Plan have not been appealed, and which parts are subject to an Appeal. The parts not appealed will become operative, superseding the equivalent provisions in the currently Operative Plan (red Plan).

Included in this version of the Plan will be minor amendments, fixing things like typos and grammatical errors. Clause 16 of the First Schedule of the Resource Management Act allows for minor errors to be fixed without a full public process, but by a resolution of Council.

### **Variation 1: Landscapes to the Proposed District Plan**

The hearings on Variation N°1 to the Proposed District Plan were completed in early December 2011 and Council's planners provided the commissioners with their revised views, resulting from the hearings, later in the month. The two commissioners gave a number of the submitters the opportunity to provide further information to support their arguments and the time for receiving this is the end of January 2012. The commissioners will then formally declare the hearings *closed*, and their deliberations will commence. It is expected that they will release their recommended decisions by March/April 2012.

### **Recommended**

*That the information be received.*

**P91 7.4 Integrated Kaipara Harbour Management Group: On Farm Workshop**

**General Manager Policy and Governance 2130.02**

Notes taken from a wananga, or workshop session conducted under the auspices of the Integrated Kaipara Harbour Management Group at Tanoa on 10 November 2011 are attached. This was an opportunity for local farmers to see what had been done, and what could be done on their land to improve the quality of water running off their land and ultimately into the harbour. Hanerau Farms, owned by Te Uri o Hau, is a work in progress, and is to be used as a 'flagship site' to demonstrate techniques and practices leading to achievement of the Group's stated objective of "a Healthy Productive Kaipara Harbour".

**Recommended**

*That the information be received.*

**P96 7.5 Auditor-General's Annual Christmas Newsletter 2011**

**Chief Executive 2110.36**

The Auditor-General's Annual Christmas Newsletter is attached for information. There is a focus around Council's accountability and planning for the 2012/2022 Long Term Plan. It gives an overview of the work done in 2011 by the Office of The Auditor General, and identifies key influences for the coming year. Also attached to the Christmas Newsletter is a paper containing short articles on the Office of the Auditor General's performance Audits and other reports of interest to the Local Government sector.

**Recommended**

*That the information be received.*

**P117 7.6 Civil Defence Emergency Management Group: Agenda and Minutes of Meeting 6 December 2011**

**General Manager Operations 6107.0**

The agenda and minutes of the Northland Group meeting held on 6 December 2011 at Northland Regional Council Chambers, Whangarei are attached for information.

**Recommended**

*That the information be received.*

## 8 Public Excluded Council Items 25 January 2012

### Recommended

*That the public be excluded from the following part of the proceedings of this meeting.*

*The general subject matter of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act, 1987 for the passing of this resolution are as follows:*

<i>Subject matter to be considered:</i>	<i>Ground(s) under Section 48 (1) for the passing this resolution:</i>
<i>1 Potential Claims against Council</i>	<i>Section 48 (1)(a), Section 7, Section 7 (2)(g)</i>
<i>2 Kauri Coast Community Pool Trust (Management Committee) Report November 2011</i>	<i>Section 48 (1)(a), Section 7, Section 7 (2)(i) and 7 (2)(b)(ii)</i>

**Note:** “The Kauri Coast Community Pool Trust (Management Committee) Report 2011” outlines proposals for increasing income streams from various sources, including sponsorship. Negotiations are ongoing and there is a need to consider this report without prejudicing these negotiations. Hence this report will be considered in the Public Excluded section of the meeting.

### Reason for passing this resolution in relation to each matter

This resolution is made in reliance of Section 48 (1)(a) of the Local Authority Official Information and Meetings Act and the particular interest or interests protected by Section 7 of that Act Section 7 of the Official Information Act 1982, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

**Section 7 (2)(g)** maintain legal professional privilege.

**Section 7 (2)(i)** enable any local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations).

**Section 7 (2)(b)(ii)** would be unreasonable to prejudice the commercial position of the person who supplied or who is the subject of the information.

**Open Council Meeting: Wednesday 25 January 2012**

**Recommended**

*That the resolutions made whilst in Public Excluded, be confirmed.*

**Closure**

**Kaipara District Council**

**Dargaville**